

MILPERSMAN 1910-233

MANDATORY SEPARATION PROCESSING

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Reference	(a) 10 U.S.C. §920 (b) SECNAVINST 5300.28E (c) OPNAVINST 6110.1J
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1. **Rationale.** Certain bases for administrative separation (ADSEP) are so detrimental to good order and discipline, mission readiness, and appropriate standards of performance and conduct, that processing for ADSEP is mandatory. Use administrative board procedures per MILPERSMAN 1910-404, except as noted in table below. Commanding officers (COs) must process individuals for separation who have committed the following, based on reliable evidence:

		MILPERSMAN
a.	Sexual Misconduct - rape, sexual assault, stalking, forcible sodomy, child sexual abuse, possession or distribution of child pornography, incestuous relationships, or any sexual misconduct that could be charged as a violation of or an attempt to violate reference (a) articles 120, 120a, 120b, or 120c; or equivalent criminal statute as a result of either misconduct due to commission of a serious offense or civilian conviction	1910-142 or 1910-144
b.	Sexual harassment under the following circumstances: (1) Threats or attempts to influence another's career or job in exchange for sexual favors; (2) Rewards (including bribes to influence favorably another's career) in exchange for sexual favors; or (3) Unwanted physical contact of a sexual nature which, if charged as a violation of reference (a), could result in a punitive discharge.	1910-142
c.	Violent misconduct which resulted in, or had potential to result in, death or serious bodily injury.	1910-142 or 1910-144

d.	Possession of drug paraphernalia as defined in MILPERSMAN 1910-142.	1910-142
e.	Misconduct - drug abuse	1910-146
f.	The unlawful use of controlled substance analogues (designer drugs), natural substances (e.g., fungi, excretions), chemicals (e.g., chemicals wrongfully used as inhalants), propellants and or a prescribed drug, over-the-counter drug, or pharmaceutical compound with the intent to induce intoxication, excitement, or stupefaction of the central nervous system as defined per reference (b).	1910-142
g.	Supremacist or extremist conduct. Processing will be for misconduct (serious offense), (civil conviction), (as appropriate) or best interest of the service.	1910-160 1910-142 1910-144 1910-164
h.	Family Advocacy Program (FAP) failure, unless a waiver is obtained from Navy Personnel Command (NAVPERSCOM), Enlisted Performance and Separations Branch (PERS-832). Processing will be for misconduct (serious offense), (sexual perversion) (if applicable), (civil conviction) or best interest of the service.	1910-162 1910-142 1910-144 1910-164
i.	Alcohol rehabilitation failure, multiple driving under the influence (DUI) or driving while intoxicated (DWI) counts (see Note 1), unless waiver is obtained from Navy Personnel Command (NAVPERSCOM), Enlisted Performance and Separations Branch (PERS-832).	1910-152 1910-402
j.	Physical fitness assessment failure. Per reference (c), use notice of notification procedures.	1910-170 1910-402
k.	Any offense or situation meeting criteria for mandatory administrative separation in this table from either a prior enlistment or prior to military service (see Note 2), use notice of notification procedures.	1910-130 1910-134

Note 1: Processing for multiple DUI or DWI counts will be accomplished per MILPERSMAN 1910-142 or 1910-144 accordingly. Use either notice of notification procedures per MILPERSMAN 1910-402 or notice of administrative board procedures per MILPERSMAN 1910-404, depending on severity of case.

Note 2: A member meeting the criteria for mandatory administrative separation that was not processed for separation, or was processed for separation and retained but no longer met the criteria for re-enlistment, must be processed for ADSEP under MILPERSMAN 1910-130 or 1910-134 (as appropriate). For example, a member processed for ADSEP due to three physical fitness assessment failures and retained, but is later

reenlisted while being ineligible for reenlistment, would meet the criteria for mandatory processing under MILPERSMAN 1910-130.

2. **Policy**. NAVPERSCOM retains authority to direct separation processing even for misconduct not listed above. Separation processing directed by NAVPERSCOM is mandatory. In mandatory processing cases in which an administrative board makes findings of no misconduct or recommends retention or suspended separation, forward case to NAVPERSCOM, Enlisted Performance and Separation Branch (PERS-832) for active duty or NAVPERSCOM, Reserve Enlisted Status Branch (PERS-913) for final action.

NOTE: NAVPERS 1070/613 Administrative Remarks counseling and warning that states the member is being retained, and was issued after an incident which requires mandatory processing or for which processing is directed by NAVPERSCOM, is considered to be invalid and will not preclude ADSEP processing.